HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4146 of 2007

Dated:01.03.2007

Between:

K.Narapu Reddy

…Petitioner

And:

The Regional Transport Officer,
Ranga Reddy District and
another.

…Respondents

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HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4146 of 2007

ORDER:

The vehicle of the petitioner bearing No.AP 29T 934 was stopped and checked by the second respondent near Chimakorthy on 26.02.2007. It was found that the vehicle was carrying a load of 34 tons 620 kgs as against the gross vehicle weight of 25,000 kgs. The second respondent seized the vehicle and produced before the first respondent. The petitioner seeks to release the vehicle.

Heard learned counsel for the petitioner and learned counsel for the respondents.

It is not disputed that the gross weight that the vehicle of the petitioner can carry is 25,000 kgs and that it was found to be carrying a load of 34,620 kgs, i.e., there is an excess load of 9,620 kgs. Apart from other steps that may be taken under the A.P. Motor Vehicles Act, 1988, the petitioner is under obligation to pay the compounding fee. The petitioner can seek release of the vehicle by paying the compounding fee of Re.1/- per kg on the excessive weight.

The writ petition is, accordingly, disposed of directing the respondents to release the vehicle of the petitioner bearing No.AP 29T 0934 on payment of compounding fee at the rate of Re.1/- per kg on the excess load of 9,620 kgs i.e., Rs.9,620/-. If there are any other deficiencies for the vehicle, it shall be open for the respondents to take steps in accordance with law. There shall be no order as to costs.

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L.NARASIMHA REDDY, J

01.03.2007
dr